

304C  
(m+s)

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP PETITION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: Louisa Drain

DATE: August 25, 2003

#39

**PATENT  
MAIL STOP PETITION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**  
AUG 28 2003  
OFFICE OF PETITIONS

In re: U.S. Patent No. 4,964,736

Patent Date: October 23, 1990

Appl. No.: 07/331,091

Filing Date: March 27, 1989

For: IMMERSION MEASURING  
PROBE FOR USE IN MOLTEN  
METALS

Attorney Docket No.  
**925-145RX**

Adjustment date: 09/02/2003 AKELLEY  
08/28/2003 AMONDAF1 00000032 4964736  
09/02/2003 AKELLEY 00000025 4964736 3150.00 DP

01 FC:1553  
02 FC:1558

PETITION UNDER 37 C.F.R. §1.378(c) TO  
REINSTATE AN UNINTENTIONALLY EXPIRED PATENT

Electro-Nite Co, the assignee of the above-identified patent, by its undersigned attorney, hereby petitions the Commissioner to accept an unintentionally delayed maintenance fee payment for the above patent, and to reinstate the patent under 35 U.S.C. §41(c)(1). The third (eleven and one-half year) maintenance fee for the above patent was due to be paid on April 24, 2002, and the six-month grace period and hence the patent, expired on October 23, 2002. This Petition is being filed within the twenty-four month period after the six month period provided in C.F.R. §1.362(e).

In support of this Petition, assignee submits the following in accordance with 37 C.F.R. §1,378(c):

1. Enclosed is a Maintenance Fee Transmittal Form and a check in the amount of \$4,790. This checks represents the third maintenance due in the amount of \$3,150.00 and the surcharge in the amount of \$1,640.00 as set forth 37 C.F.R. 1.20(i)(2). The Patent Office is hereby authorized to charge any deficiency in the fees due or credit any payment to our

09/02/2003 AMONDAF1 00000032 4964736

01 FC:1553

4790.00 DP

Deposit Account No. 50-1017. An additional copy of this paper is enclosed for accounting purposes.

2. The undersigned hereby affirms that the entire delay in payment of the second maintenance fee was unintentional.

In view of the above, granting of this Petition, acceptance of the delayed payment of the maintenance fee, and reinstatement of the above patent are appropriate and are respectfully requested.

Respectfully submitted,

**HERAEUS ELECTRO-NITE CO.**

BY:  August 25, 2003

**LOUIS SICKLES II**

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LS/lcd

Enclosures



## MAINTENANCE FEE TRANSMITTAL FORM

Address to:  
United States Patent and Trademark Office  
P.O. Box 371611  
Pittsburgh, PA 15250-1611

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

1. ☒ A check in the amount of \$4,790.00 for the full payment of the maintenance fee(s) and any necessary surcharge on the following patents is enclosed.
2. ☐ The Director is hereby authorized to charge \_\_\_\_\_ to cover the payment of the fee(s) indicated below to Deposit Account No. 50-1017.
3. ☒ The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-1017.

\* Information required by 37 CFR 1.366(c)(columns 1 & 5). Information requested under 37 CFR 1.366(d) (columns 2-4 & 6-9)

Item	Patent Number*	Fee Code (see below)	Maintenance Fee Amount (37 CFR 1.20)	Surcharge Amount	U.S. Application Number* [06/555,555]	Patent Date mm/dd/yy	Application Filing Date mm/dd/yy	Payment Year	Small Entity?
	1	2	3	4	5	6	7	8	9
1	4,964,736	1553	3150		331,091	10/23/90	03/27/89	12	No
2	4,964,736	1558		1640	331,091	10/23/90	03/27/89		
3									
4									
5									
6									
7									
8									

Sub-totals / Columns 3 & 4

\$3,150

\$1,640

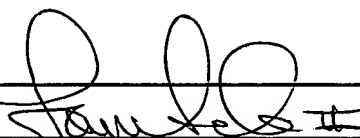
Total Payment

\$4,790.00

Use additional sheets for listing additional patents.

Maintenance Fee Codes:.....Surcharge - Late Payment within 6 months:  
1551 (2551 for small entity).....Due at 3.5 years.....1554 (2554 for small entity)  
1552 (2552 for small entity).....Due at 7.5 years.....1555 (2555 for small entity)  
1553 (2553 for small entity).....Due at 11.5 years.....1556 (2556 for small entity)  
1557.....Surcharge after expiration - Late payment is unavoidable  
1558.....Surcharge after expiration - Late payment is unintentional

[For Office Accounting Use Only]

  
Payor's Signature\*\*

Payor's Number (if assigned) 00570

Payor's Name\*\* and Fee Address

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I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to "United States Patent and Trademark Office, P.O. Box 371611, Pittsburgh, PA 15250-1611"

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

\*\*WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, PAYOR'S NAME AND SIGNATURE SHOULD BOTH APPEAR IN THE BOTTOM LEFT CORNER OF THIS FORM.